

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Cr. No. 10-32(2) (JNE/SRN)**

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
) **MOTION TO DISMISS**
) **COUNTS 8-15 (THE SUZUKI COUNTS)**
) **OF THE SUPERSEDING INDICTMENT.**
vs.)
)
)
)
STEVEN J. LEACH,)
)
)
Defendant.)

Defendant, Steven Joseph Leach, by and through his undersigned counsel, Robert D. Sicoli, Law Offices of Robert D. Sicoli, and Sarah M. MacGillis, MacGillis Law P.A., moves this Court for an Order dismissing Count 8-15 of the Superseding Indictment for their failure to allege an essential element of the offense of aiding and abetting mail fraud on the part of Mr. Leach.

This Motion is based on the files and records in this proceeding, on the Memorandum of Law in Support of Motion filed simultaneously with the Court, and on the argument of counsel to be heard at the hearing of this matter.

Respectfully submitted,

Dated: June 2, 2010

By: /s/ Robert D. Sicoli
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